

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 98-113
Table of Allotments,)	RM-9296
FM Broadcast Stations.)	
(Tumon, Guam))	

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 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

COMMENTS

Guam Broadcast Services, Inc. ("GBS"), pursuant to Section 1.420 of the Commission's Rules and by its counsel, hereby files its Comments with respect to the Commission's Notice of Proposed Rule Making, DA 98-1325 (released July 10, 1998) ("NPRM").¹ Granting the NPRM will permit a first local service to Tumon, Guam, which is a "community" as defined by the Commission for allotment purposes. In support thereof, GBS states as follows:

1. The proposed allotment would service the public interest by providing a first local service to Tumon, the third priority under the Commission's FM Assignment Policies.² As demonstrated in the Engineering Statement in GBS' Petition for Rule Making, the proposed allotment is fully-spaced and complies with the Commission's technical rules and policies.

2. Pursuant to Paragraph 2 of the NPRM, GBS hereby provides information regarding the commercial, social, economic, cultural and religious organizations, municipal services and

¹ The NPRM permits the filing of Comments until August 31, 1998. Thus these Comments are timely filed.

² The FM priorities are: (1) first aural service; (2) second aural service; (3) first local service; and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3). See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88, 92 (1982) ("FM Assignment Policies").

governmental units that identify themselves specifically with Tumon. As demonstrated below, Tumon is a "community" for allotment purposes.

3. Tumon has a long history. The original population in ancient times were the Chamorros. Much of the information known today about the Chamorros was recorded by missionaries aboard Spanish expeditions. In 1695, thirty years after the arrival of these missionaries, the Chamorros population declined dramatically resulting in the abandonment of Tumon for nearly a century and a half. In 1850, descendants of the Chamorros began to resettle Tumon.

4. Today, Tumon is one of the commercial centers on Guam. The community of Tumon has commercial banks,³ a regional high school and several private schools⁴, numerous churches⁵, a zoo,⁶ and many state parks and beaches.⁷ According to the Guam Economic Review, Vol. 20, No. 1, the population in Tumon is estimated to exceed 7,400.⁸ There are government-authorized road signs, maps and economic and political statistical groupings that depict Tumon as a viable

³ The Bank of Guam has two branches in Tumon. In addition, the Bank of Hawaii has several automated teller machines in various hotels.

⁴ John F. Kennedy High School, St. John's Episcopal School and Chief James A. Brodie School.

⁵ Blessed Diego San Vitores Church, Calvary Baptist Church and St. John's Episcopal Church.

⁶ Cushing Zoo.

⁷ The beaches and parks include the Gun Beach, Chinese Park, San Vitores Memorial Park, Matapang Beach Park and Governor J. Flores Beach Park.

⁸ Residential buildings include the Tumon Horizon Condominium, Tumon Village Apartments and Harmon Park.

municipality. A Department of Public Works, Vocational Rehabilitation Center, driving range, substation and office of the Guam police department are located in Tumon.

5. Tumon is also the center of tourism in Guam. It has many businesses, both small and large, that are part of the tourism industry. In 1997, Guam received 1.4 million visitors, most of whom stayed in Tumon to take advantage of the plethora of shopping centers⁹, entertainment venues and restaurants¹⁰ located there. The hotels in Tumon, include over twenty major international hotels, represent 75% of all the hotels located in Guam.¹¹ There are several business located in Tumon, including the Duty Free Shoppers, Ltd., which is part of the international conglomerate that operates out of airports all over the world.¹²

6. If the allotment is granted, GBS will file an application for construction permit to construct and operate a station on Channel 280A, Tumon, Gram, and will expeditiously construct the new facility.

CONCLUSION

GBS proposes that the FM Table of Allotments be amended to add Channel 280A, Tumon,

⁹ For example, the Tumon Sands retail center includes such notable shops as Rolex, Dunhill, Cartier, Bally, Ungaro, Mark Cross, Moschino and Tiffany & Co.

¹⁰ These include Leo's Restaurant and Lounge, Hard Rock Cafe, Planet Hollywood, Atlantis Submarine Guam, Kentucky Fried Chicken, Little Ceaser's, Subway and Burger King.

¹¹ Some of the the hotels in Tumon include the Tumon Sands Hotel, Tumon Bay Capitol Hill Hotel, Guam Dai-Ichi Hotel, Guam Hilton Hotel, Guam Hotel Okura, Guam Reef Hotel, Hotel Nikko Guam, Hyatt Regency Guam, Westin Resort Guam, Outrigger Guam Resort, Guam Reef Hotel, Fujita Guam Hotel, Sotetsu Tropicana Hotel, Pacific Star Hotel, Pacific Islands Club, Sherwood Resort, and the Guam Plaza Hotel.

¹² Other businesses located in Tumon are Louis Viton, K-Mart, National Car Rental, Budget Car Rental, and several 7-11 stores.

Guam. The proposed channel substitution services the public interest by providing a first local service to Tumon, which is a "community" for allotment purposes.

WHEREFORE, GBS respectfully submits that the public interest would be served by amending the FM Table of Allotments as proposed herein.

Respectfully submitted,

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